

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re: AAIPHARMA INC., <i>et al.</i>, Debtor.	Chapter 11 Case Nos. 05-11341 through 05-11345 and 05-11347 through 05-11350 (PJW) Jointly Administered
Kristin I. Schendl, Plaintiff-Appellant, v. aaiPharma Inc., Defendant-Appellee	Civil Action No. 06-cv-00586 (***)

STIPULATION AND ORDER OF DISMISSAL OF APPEAL

IT IS HEREBY STIPULATED AND AGREED by and between the above-captioned debtors in the above-captioned cases and Kristin I. Schendl, having a legal address of P.O. Box 53277, Atlanta, GA 30355, that the appeal referenced in the above-captioned action is hereby dismissed pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, with prejudice and without costs as against the parties to this stipulation, and it is further

STIPULATED AND AGREED that, this stipulation may be executed in any number of counterparts, each of which shall be deemed an original instrument, but all of which together shall constitute one and the same instrument. A signature page delivered by facsimile or

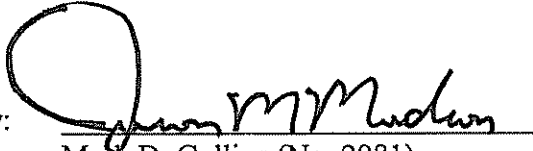
electronic mail shall have the same effect as an original signature page.

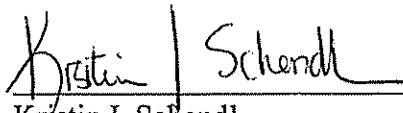
Dated: ~~January~~ ^{February} 2, 2007
Wilmington, Delaware

Dated: January 27, 2007 SATURDAY
Atlanta, Georgia 5:02 PM EST

FOR THE DEBTORS:

FOR SCHENDL:

By: 
Mark D. Collins (No. 2981)
Jason M. Madron (No. 4431)
RICHARDS, LAYTON & FINGER, P.A.
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By: 
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APPELLEE, PRO SE

- and -

FRIED, FRANK, HARRIS, SHRIVER
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Gary L. Kaplan
One New York Plaza
New York, NY 10004
Telephone: (212) 859-8000

ATTORNEYS FOR THE DEBTORS,
APPELLANT

SO ORDERED this ____ day of _____, 2007

United States District Court Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CERTIFICATE OF SERVICE

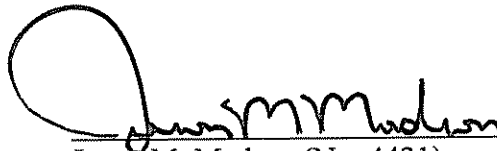
I hereby certify that on February 2, 2007, I electronically filed the **Stipulation and Order of Dismissal of Appeal** with the Clerk of Court using CM/ECF.

I hereby certify that on February 2, 2007, I mailed via the United States Postal Service the document to the following non-registered participant:

Kristin I. Schendl
P.O. Box 53277
Atlanta, GA 30355

I hereby certify that on February 2, 2007, I caused a copy of the document to be service via hand delivery on the following non-registered participant:

David Stratton
Pepper Hamilton
Hercules Plaza, Suite 5100
1313 Market Street
P.O. Box 1709
Wilmington, DE 19899-1709

A handwritten signature in black ink, appearing to read "Jason M. Madron", is written over a horizontal line.

Jason M. Madron (No. 4431)
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